

**IN THE CIRCUIT COURTS OF THE
NINTH WEST JUDICIAL DISTRICT OF ARKANSAS**

ADMINISTRATIVE PLAN

In accordance with Administrative Order Number 14, our Administrative Plan for handling cases in Ninth West Judicial District is submitted as follows:

PREAMBLE

The Ninth West Judicial District consists of four counties: Howard, Little River, Pike and Sevier. There are two judges serving this district, Judge Tom Cooper, Division one, and Judge Charles A. Yeargan, Division two.

Judge Cooper previously served as Prosecuting Attorney for the Ninth West Judicial District for fourteen years. Upon his election, he resigned as Prosecuting Attorney on July 1, 2008 in order to avoid future conflicts in criminal cases.

ASSIGNMENTS

Both judges will continue to hear all types of cases.

Until the Administrative Office of the Courts can provide a computerized method for random assignment of cases the Clerks shall use colored marbles or markers to ensure random selection.

The Clerk is directed not to draw a colored marker to determine which division the case will be assigned until such time as the file mark of the clerk has been affixed and shall not draw more than one marker at a time. The Clerk making the draw from the container shall not look at the markers or marbles to be drawn but is to make the draw in the blind. The Clerk is prohibited from making the division assignment known until the colored marker designated the division has been drawn and the number has been affixed to the pleading initiating the case.

The Clerk is to maintain a separate criminal, civil, domestic relations, probate and juvenile docket for each of the respective divisions.

Each Clerk shall affix a stamp to the pleadings designating which judge has been assigned to the case so the attorneys will know who to contact for a setting. In addition, the Clerks shall place the number one (1) or two (2) at the end of every case number to designate Division One or Two. The only exception to this procedure is where there are multiple criminal defendants with different file numbers, wherein the judge that takes the first case will handle all subsequent files of co-defendants regardless of the assignment. Likewise, similar type case or cases that have some relationship with each other will be heard by the same judge.

PROCEDURE FOR HEARING CASES

Judge Cooper will set his criminal cases for jury trials in even numbered months and Judge Yeargan will set his criminal cases in odd numbered months in order to allow the prosecuting attorney to be present at all criminal jury trials. Civil jury trials are set by the presiding judge on whatever days are available that will not conflict with any cases set by the other judge.

As a normal rule each judge will travel the circuit to all four counties during one week, and then the other judge will travel the same route the next week. This allows a judge to be in each one of the four counties at least twice a month with the exception where there are scheduling problems due to holidays and continuing education classes.

Each time a jury trial is set the case coordinators shall contact each other to notify the other judge of any setting so there will not be any conflicts concerning the use of the courtroom on the same day.

On regular court dates either judge may hear uncontested matters regardless of the designation.

A judge who signs an ex-parte domestic abuse protective order normally sets the temporary hearing for the next regular date regardless of designation.

In juvenile matters, the juvenile intake officer mails notices for juveniles to appear on a regular court date. If they should plead true, the judge for the first appearance will dispose of the matter. If they plead not true then, the judge will set this matter according to the random designation.

DRUG COURT

Judge Yeargan will preside over the drug court for the Ninth West Judicial District held in Howard County.

CALENDAR

A calendar is printed each year around September setting forth the regular court dates for the upcoming year where the judges will appear and hear all types of cases, including drug court, divorces, probate, juvenile, criminal arraignments, pre-trials, criminal jury trials, and non-jury matters. The judges alternate each year letting one judge pick his court dates first and then the other judge will select his dates. Judge Yeargan has odd numbered years and Judge Cooper will have even.

CONFLICTS

If either judge has a conflict in a case then that case is transferred to the other division and will be heard by that judge unless he has a conflict.

Judge Yeargan is related by marriage to attorneys George Steel, Jr., and his son Nate Steel of Nashville, and George Matteson of Texarkana. Mr. Nate Steel is the deputy prosecuting attorney for Howard County.

In order to avoid any conflicts, any cases filed by these attorneys shall be automatically assigned to Division one. The next case filed, without a conflict, that normally would be assigned to Division one will then be assigned to Division two in order to equalize the number of cases for each judge. Any cases previously filed in Division two in which these attorneys subsequently enter their appearance will be transferred to Division one.

As long as Mr. Nate Steel serves as deputy prosecuting attorney in Howard County, Judge Cooper will be responsible for all criminal cases filed after January 1, 2009. Judge Yeargan will continue to preside over all criminal cases filed by Judge Cooper in Howard County and share equally in the remaining three counties with the understanding that Mr. Nate Steel will have no involvement with those cases.

In order to equalize case assignments Judge Yeargan will hear all probate cases in all four counties except for those cases in which he may have a conflict. Judge Cooper will hear the cases in which Judge Yeargan has a conflict.

ENHANCED JURY LIST

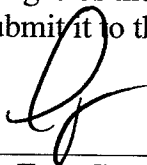
After discussions with and approval from all the Clerks in the district, we decline the use of the enhanced jury list pursuant to Arkansas Code Ann. 16-32-303(b).

ADMINISTRATIVE JUDGE

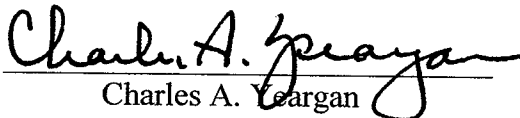
Pursuant of Administrative Order 14, the judges of the Ninth West Judicial District agree to alternate the position of Administrative Judge every two years. Judge Yeargan will continue to serve as Administrative Judge for 2009 and 2010, and then alternate with Judge Cooper every two years thereafter.

APPROVAL

The judges of the Ninth West Judicial District hereby approve this amended administrative plan and submit it to the Arkansas Supreme Court for its approval this 1st day of June 2009.



Tom Cooper
Circuit Judge
Division One



Charles A. Yeargan
Circuit Judge
Division Two